

STATE OF RHODE ISLAND :
AND PROVIDENCE PLANTATIONS :

DEPARTMENT OF HEALTH :
DIVISION OF EMERGENCY MEDICAL :
SERVICES :

EMS File #02-045
#03-026

vs. :

WILLIAM E. HOWE :

CONSENT ORDER

Pursuant to Chapter 23-4.1 of the General Laws of the State of Rhode Island, 1956, as Amended and the Rules and Regulations promulgated thereunder, the Rhode Island Department of Health, Division of Emergency Medical Services (hereinafter "Department"), has investigated complaints charging William E. Howe, EMS Instructor-Coordinator (hereinafter "Respondent"), with a violation of the Rules and Regulations Relating to Emergency Medical Services (R23-4.1-EMS).

After careful consideration by the Department, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent:

1. Respondent is licensed as an EMS Instructor-Coordinator.
2. That at all pertinent times Respondent was employed by 911 Programs, West Kingston, Rhode Island 02892.
3. That on or about August 1, 2002, Respondent initiated plans for the conduct of an EMT-Defibrillation Training Program for American Power Conversion Corporation, West Kingston, Rhode Island. That during the period of planning and at the commencement of said course, Respondent failed to observe

recognized professional standards. Furthermore, said training program was not approved by the Department.

4. That on or about October 21, 2003, Respondent started an EMT Refresher Training Program which was not approved by the Department.
5. That the conduct described in paragraphs three (3) and four (4) herein constitutes unprofessional conduct as defined in Section 16.1 (e) of the Rules and Regulations Relating to Emergency Medical Services (R23-4.1-EMS).

The parties agree as follows:

1. Respondent is an EMS Instructor-Coordinator and able to conduct business under and by virtue of the laws of the State of Rhode Island. Respondent's mailing address is 1275 Ministerial Road, Wakefield, R.I. 02879.
2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
3. Respondent has read this Consent Order and understands that it is a proposal of the Department and is subject to final ratification by the Department. This Consent Order and the contents thereof are not binding on Respondent until final ratification by the Department.
4. Respondent hereby acknowledges and waives:
 - a) The right to appear personally or by counsel or both before the Department;
 - b) The right to produce witnesses and evidence in his behalf at a hearing;
 - c) The right to cross-examine witnesses;
 - d) The right to have subpoenas issued by the Department;

- e) The right to further procedural steps except for those specifically contained herein;
 - f) Any and all rights of appeal of this Consent Order;
 - g) Any objection to the fact that this Consent Order will be presented to the Department for consideration and review;
 - h) Any objection to the fact that it will be necessary for the Department to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;
 - i) Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order to the Department.
5. This Consent Order shall become a part of the public record of this proceeding once it is accepted by all parties.
6. Acceptance by the Respondent and approval by the Department of this Consent Order constitutes an admission of a violation of Section 16.1 (e) of the Rules and regulations Relating to Emergency Medical Services (R23-4.1-EMS).
7. Failure to comply with the Consent Order, once signed and accepted, shall subject the Respondent to further disciplinary action.
8. That the Department shall serve a period of probation subject to the terms and conditions set forth in this Consent Order.
9. That said probationary period shall commence upon execution of the Consent Order.

10. That during the period of probation, Respondent shall conduct three (3) Department-approved EMT Training Programs/Courses. For the purposes of the probation, the Intravenous Infusion Pump Training Course, Intravenous Anticoagulant Therapy Training Course and Intravenous Nitroglycerin Training Course whether conducted collectively or individually shall be regarded as one (1) course and may be applied only once in fulfillment of this requirement.
11. That during the period of probation, the Department shall monitor such training programs/courses to determine compliance with the requirements as set forth in the regulations, guidelines or the Department's application procedures.
12. That during the period of probation should respondent fail to comply with the provisions of Chapter 23-4.1 and/or the "Rules and Regulations Relating to Emergency Medical Services", or any of the terms of this Consent Order, the Department shall initiate appropriate action with respect to Respondent's licensure status.
13. That this Consent Order shall obviate the necessity for a hearing on the matters forming the basis for this Consent Order.
14. That should Respondent comply with the laws and regulations governing the practice of EMS Instructor-Coordinator during the period of probation and comply with the requirements of this Consent Order, he may apply to the Department for relief from the probation.

Signed this 14th day of March, 2005.

William E. Howe
William E. Howe

Ratified as an order of the Department on this 30 day of March 2005.

Charles Alexandre
Charles Alexandre, Chief
Health Professions Regulation
Health Services Regulation